

## **STATEMENT OF STATUS AND SUPPORT**

Pursuant to 37 CFR 1.173(c), Applicants present herein a statement of status and support for all claim changes.

### **STATUS OF THE CLAIMS:**

Claims 1-3 and 16-88 are currently pending in the application.

Claims 1-19 were issued in the '231 patent. The original claims 1-19 are cancelled without prejudice. The remaining claims 20-88 are New. Claims 20-31, 51-59, 69-82, 84-85, and 87-88 of these new claims are cancelled. Accordingly, Claims 32-50, 60-68, 83 and 86 are currently pending in the application.

Claims 32, 41 and 60 were amended in response to the rejection under 35 USC 101. The changes to these claims are discussed below.

### **SUPPORT OF CLAIM CHANGES:**

Applicants have made the following amendments and changes from the previous claim language for claim 32, shown with additions underlined and deletions in cross-through:

32. (New) A method for managing a plurality of  
transaction accounts for multiple clients, comprising:

providing a database having client information for each  
of the plurality of transaction accounts;

administering by one or more computers clients'  
deposits to and withdrawals from each of their transaction  
accounts through a first banking institution;

determining by one or more computers a net transaction  
aggregated across all said transaction account deposits and  
transaction account withdrawals on a regular periodic basis;

depositing funds to or withdrawing funds from a single insured money market deposit account at a second banking institution based on the net transaction, with the withdrawing funds comprising withdrawing funds from the single insured money market deposit account at the second banking institution more than six (6) times during a month and transferring the funds to the first banking institution;

receiving by one or more computers interest from the second banking institution on funds held in said single insured money market deposit account;

distributing by one or more computers the interest received on said single insured money market deposit account to said client transaction accounts; and

updating by one or more computers the database based on the interest paid to and clients' deposits to and withdrawals from each of their transaction accounts.

Comparable changes have been made to claims 41. These changes are as follows:

41. (New) A data processing method for tracking and managing a plurality of client transaction accounts in a first banking institution and providing a return to each of said transaction accounts, the funds associated with said transaction accounts aggregated for deposit in an insured money market deposit account in a second banking institution, said insured money market deposit account providing a return on assets held therein, said method comprising:

a. creating by one or more computers one or more transaction account memory ledgers for storing therein selected

data for one or more of said plurality of client transaction accounts through [global check] the first banking institution;

b. storing by one or more computers in said memory ledgers transaction account data including a current or periodic account balance as well as an identification of an account owner or beneficiary;

c. tracking by one or more computers deposits to and withdrawals from each of said client transaction accounts through the first banking institution and adjusting the balance for each in response to such transactions;

d. creating an insured money market deposit account at the second banking institution in which funds from a plurality of said client transaction accounts are to be deposited,

e. managing said insured money market deposit account by

assessing by one or more computers the aggregate activity of said plural client transaction accounts for a respective period and

calculating by one or more computers an asset adjustment to said insured money market deposit account to permit adjustment of the amount in said insured money market deposit account by moving funds between the first banking institution and the insured money market deposit account in the second banking institution;

sending information to implement a withdrawal of funds from the insured money market deposit account more

than six (6) times during a month based on the asset adjustments;

receiving by one or more computers interest from the second banking institution on funds held in said single insured money market deposit account;

distributing by one or more computers the interest received on said single insured money market deposit account to said client transaction accounts; and

updating by one or more computers the database based on the interest paid to and clients' deposits to and withdrawals from each of their transaction accounts.

Comparable changes have been made to claims 60. These changes are as follows:

60. (New) A method for managing a plurality of transaction accounts in a first banking institution for multiple clients whose funds are held in a single insured money market deposit account in a second banking institution to provide a return on assets held therein, comprising:

providing a database having client information for each of the plurality of the transaction accounts in the first banking institution;

administering by one or more computers clients' deposits to and withdrawals from each of their transaction accounts in the first banking institution;

determining by one or more computers a net transaction aggregated across all deposits to and withdrawals from said transaction accounts on a regular periodic basis;

withdrawing funds more than six (6) times during a month from said single insured money market deposit account in the second banking institution based on the net transactions and transferring those funds to the first banking institution;

receiving by one or more computers interest from the second banking institution on funds held in said single insured money market deposit account;

distributing by one or more computers the interest paid on said single insured money market deposit account to said clients' transaction accounts in the first banking institution; and

updating by one or more computers the database based on the interest paid to and clients' deposits to and withdrawals from each of their transaction accounts.

Each of claims 32, 41 and 60 has been amended to add the phrase “one or more computers” to modify multiple operations in these claims. The basis in the specification for this change may be found at least at column 2, lines 51-67 and column 3, lines 1-8.

## REMARKS

As noted above, independent claims 32, 41 and 60 have been amended to add the phrase “one or more computers” to a number of the elements in these claims.

Additionally, original claims 1-19 and New claims 20-31, 51-59, 69-82, 84, 85, 87 and 88 have been cancelled. Applicants will pursue the withdrawn claims in other divisional applications. Accordingly, Claims 32-50, 60-68, 83 and 86 are currently pending in the application.

Pursuant to 37 C.F.R. 1.178(b), Applicants state that they have no current knowledge of, and do not believe there are any prior or concurrent proceedings in which the ‘231 patent is involved, including interferences, reissues, reexaminations, or litigations.

Applicants respectfully request entry of the foregoing amendments and remarks into the file of the above-captioned reissue application. These claims do not recapture any subject matter that might have been surrendered during prosecution of the application issuing as the ‘231 patent.

It is submitted that some of the claims may be broader in some respects than claims in the ‘231 patent. This is proper because this reissue application was filed within two years of the grant on April 16, 2002 of the ‘231 patent. Applicants reserve their right to submit during the prosecution of this application and after April 16, 2004 further claims that are broader than the claims of the ‘231 patent. See MPEP section 1412.03.

Claims 32-50, 60-68, and 86 were rejected under 35 USC 101 as being directed to non-statutory subject matter. The independent claims 32, 41 and 60 have been amended to added the requirement that multiple of the operations in each of these claims be performed by “one or more computers.” In view of these amendments, the claims now are tied to a particular machine programmed or hardwired to performed these recited operations, and the operations are performed on and transform a real world tangible asset. Thus, the claims meet the “machine or transformation” test of the recent *Bilski* case. Accordingly, the claims are now allowable. Reconsideration is respectfully requested.

The examiner should be aware that the following co-pending patent applications disclosed in an IDS relate to similar kinds of products, although the claims are clearly patentably distinct, and some of these applications have received office actions:

**10/825,440** fld 4-14-04 (Office Action with rejection) (Present case)

**09/677,535** fld 10-2-00 (Notice of Allowance)

**10/071,053** fld 2-8-02 (Office Action with rejection)

**10/305,439** fld 11-26-02 (Office Action with rejection)

**11/149,278** fld 06-10-05 (Office Action received)

**10/382,946** fld 03-06-03 (Office Action with rejection)

**10/411,650** fld 04-11-03 (Office Action with rejection)

**11/689,247** fld 3-21-07 (Office Action with rejection)

**11/767,827** fld 6-25-07 (Office Action with rejection)

**11/767,837** fld 6-25-07 (Office Action with rejection)

**11/767,846** fld 6-26-07 (Office Action with rejection)

**11/767,856** fld 6-25-07 (Office action with rejection)

**11/849,064** fld 8-16-07 (Office Action with rejection)

**11/840,060** fld 8-16-07 (Office Action with rejection)

**11/840,052** fld 8-16-07 (Office Action with rejection)

**11/932,762** fld 10-31-07 (Office Action with rejection)

**12/271,705** fld 11-14-08

Applicant believes that the present application is now in condition for allowance. Favorable consideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any deficiency or credit any over-payment to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under

37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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